G. R. S. IX-5]

(Preserve) p25

Previous references.

Police 78-15(1-7) 1917-18
(Police)

File No. 69-17

Serial Nos. 165

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 165

Part B for February 1918.

SUBJECT.

Petition from one Hutchappa of Thyamagondlu Nelavangula Hk, appeals against the order of the District Magte Bangalore, Re- the procession of Kalika & Komateswara in Thyamagondlu.

---

4) To the District Magistrate Bangalore.
No J 3110 Dt 8-2-1918.

Passes certain orders & the District Magistrate in the matter of disposing such application in future.

5) To Huchappa Thyamagondlu.
No J 312 Dt 8-2-1918.

Informs that they should apply to the Asst Rev Agent & Dist Magte in proper time.

WD 88—GPB—60,000—24-7-16

944 (1

G. R. S. III—1] 1917-18

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No.

FILE HEADING.

Appeal against the order of the Dt. Magte. Bangalore re the possession of Kalikka & Kanakamma in Tyamagondlu.

From

Tyamagondlu

No. 14 Dated 4 Received

Diary No. 1424	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

appeal against order of Dt. Magte. Bangalore re possession of land in Tyamagondlu.

NOTES AND ORDERS.

Subd. for orders calling for the draft order & a report.

B/f. 21.10.17

Sub A

21/10/17 Draft

D. To.

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-1a

944
1290

WD 1233—GPB—60,000—1-12-16—S. 12

G. R. S. III-2]

General and Revenue Secretariat.

PR File No. 69 of 1917.

Serial No.

2 To, The D.C. Maqte Bangalore D.C.
No J 1508 D/ 2-11-917
Calls for a report in the case with the records—

3 From The D.C. Magte. Bangalore D.C. no. R.O.C. 395 J 17-18 D/ 3/4.12.17
Submits the report called for and the records.

3) This matter came up to Govt. in 1915 when the petition was referred to the D.-M. for reopening the case, if necessary, in view of the Chief Court decision. The D.-M. has again rejected the petition and against this order the petitioners have again appealed

4) Subd. for order
Pl. 17.12.17. Pl. M

5) The facts of the case and the previous history are given at length in the petition filed in Public Pet. 78 of 15 also noted therein. On principle it seems objectionable to set at naught the decisions of the highest tribunal in the land. The District Magistrate has stated as a reason for not granting the license that there was no demand for the processions also in Devadapalli of the year in question & demand or custom has been

Pl. M
Pol 78-15

* Pl. M
* Pol 78-15

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

13

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 69 of 1917-18

Serial No.

the subject of an express decision in the Chief Court. The Judges say "Assuming ~~that~~ (but not conceding) that the plaintiffs never have exercised this right, there is nothing to prevent them from exercising it if, as we hold, it is a natural right inherent in every person and has not been taken away by any law or custom having the force of law, since non-user for any length of time would not be sufficient to extinguish it." (Bury Chetty's 35). Considering that the party has been ~~for~~ trying to establish a legal right enjoyed by the Chief Court, for over 10 years, it seems but fair that effect should be given to the decision of the Chief Court, and that the license should be granted. The decision of the Chief Court is not directly between the parties now ~~before~~ before us, but the principle, ~~for~~ legality, of Cantonments generally is involved.

7) Submitted for favourable order

Chief Secretary)

8) What is there in the Dt. Magte's Court record to show that there was any reason to apprehend a serious breach of the peace which could not be prevented except by prohibiting the exercise of this right?

Note—Contn. sheet.

7 CL

With recent decision of the Chief Court, a copy of which was sent for information, the Cantonment Committee was a party and a decision in their favour.

File the papers. EB

rec'd 2.1.18.

EB 18/1

EB 2/1/18

WD 1233—GPB—6'.000—1-12-16—S.

G. R. S. III-2)

General and Revenue Secretariat. | Pol. File No. 69 of 1917-18

Serial No.

L

9) Attention is invited to the last sentence in the Madras G.O. of 6.6.1917. There is no other reference to any apprehension of a breach of the peace. In the Madras G.O. it is only stated that "if a license is granted to go in procession against Mamool, it may lead to a breach of the peace".

Sd
4/1

Asst Secretary)

10) This seems to be a case in which the local executive authorities have entirely misunderstood their function & sphere of duty. The Civil Courts (including the Chief Court) have adjudicated on the right in question & it was properly the duty of the Executive to give effect to such decisions & protect the subject in the exercise of his legitimate right. Instead of that the local officers have set about an independent enquiry into the right.

The only ground on which the authorities could prohibit the exercise of the right was the apprehension of a breach of the peace, beyond the power of the police to cope with having regard to the circumstances, but as shown in the Asst Secy's note above there is nothing to show

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

15

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 69 of 1917 7 8

Serial No.

that there would have been a breach of the peace, except a solitary line in some mahazar.

11) The DC might was not justified in relying on his predecessor's order of 1904, when the question had been subsequently taken before the Civil Courts & decided more than once.

12) As I have ~~stated~~ suggested in the linked file it is desirable to issue a circular pointing out the proper lines of action in such cases, even if it is considered that it is not open to Govt to interfere in appeal in such cases.

+ file attached
PS
21-1-18

2424
5/1/18

Ist member

CBB
5/1/18

13) Judicial proceedings ~~not~~ cannot interfere in executive capacity on appeal against orders passed by judicial officers

14) The appellant party may move the Civil Court to stay the order in question

15) It may be necessary to make rules to prevent frivolous appeals to deny the ~~frivolous~~ alleged right of local officers in the language.

CBB
7.0
1/2

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

(16

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 69 of 191 7-18

Serial No.

16) The Chief Court have held in a number of cases that orders passed under S 45 Police Regulation are of the nature of executive orders, ~~for the~~ and that they have no jurisdiction whatever in such cases. (vide 1 Burma Chief Ct Reports p. 1). The party in the present case ~~has~~ obtained a decree in his favour in the Chief Court Civil. Submitted for favour of orders

Ks
8/1

The Dt. Magistrate seems also to be under the misapprehension that whether right wrong, his predecessors order of 1904 has to be enforced so long as it is not set aside or modified by Govt.

Hon'ble Member

17) This is clearly a case of Conflict between orders passed in Civil Jurisdiction by the Chief Court and orders passed by local magistracy under the Police Act - in respect of which there is no appeal provided - either to Govt or to the Chief Court.

18) The order under sec 45 P. R. is an executive order - & must be enforced in the absence of any other order. It has no permanent binding force. -

19) The present case may be disposed of by removing the pickets - with certain directions for the guidance of local officers, when future applications of this kind are presented

20) The Civil Court judge may be

NOTE—Contn. sheet.

1290.

T.

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 69 of 1917 7 8

Serial No.

respected - by taking the necessary precautions & imposing the necessary Conditions for preserving peace - Hostile appeal please - quoting the 25th Decree without just grounds for apprehension. re breach of the peace would be unjustified

21) The District Superintendent of Police may remain with the local magistracy according to the Circumstances of the occasion having regard to the state of feeling that exists between the Communal factions in the village. -

8.1.18

22) Draft

23) Subd. with two drafts.

18.1.18

24) In favour of proposal

Draft

First Member

concurred

25.

25841/24.1.18

B

18/2/18

NOTE—Contn. sheet.

GPB—75,000—17-12-15

WD 1233—GPB—60,000—1-12-16—S.

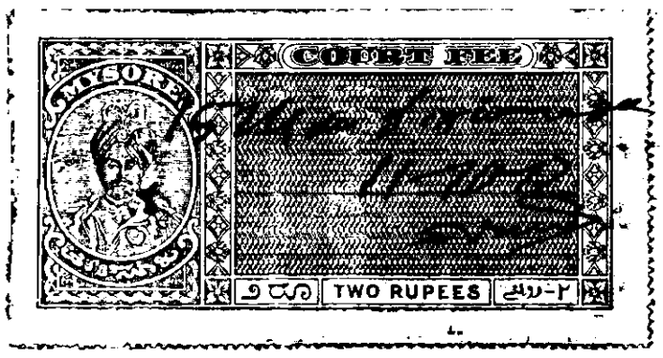
8

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 191

Serial No.	
4	To The Dr Nagle Bangalore. No J 3110 Dt 8.2.18 Pasd certain orders in the matter To the Dr Nagles in the matter of disposing such applications in future
6	To. Muchappa Iyamagondlu Thro V. Venkatachar Esq B.A.B.L. Advocate Bangalore No J 3112 Dt 8.2.18 Informed that they shd apply to the Dr Nagle a ~~second~~ proper time

NOTE—Contn. sheet.



19 OCT 1917

ARV No. J.964

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE.

License Appeal No. of 1917-1918.

Hutchappa of
Thyamagondlu,
Nelavangala Taluq,.
Bangalore District. Appellant.

--VS--

Kote Ramaiya of the
same Village. Respondent.

The appellant abovenamed begs to prefer this appeal on the following among other grounds against the order dated 30-7-1917 of the District Magistrate, Bangalore, in Misc: Case No.35 of 1916-1917 refusing to grant a license to take in procession the idols of Kalika and Komateswara through the "Deshadapetta" in Thyamagondlu:-

1. The learned District Magistrate erred in - law in refusing to grant the license on the ground - that the "petitioner's party do not seem ever to have been granted permission to go in procession in the - street known as "Deshadapet".

2. The ground on which the order is based assuming the fact to be such, is untenable in law and is opposed to the fundamental conceptions of the natural inherent rights of citizens as declared from time to time by the Highest Court in the Land (The petitioner will - produce an authenticated copy of the latest Judgment on

the

the point of the Hon'ble the Chief Court of Mysore in R.A.No.140 of 1916-1917 in respect of a marriage procession along the same street for which the petitioner had claimed a license and was refused on the score of 'mamool'. The copy which has been applied for will take some time to get ready and hence could not be filed herewith, but will be filed later).

3. The weighty observations made by the Hon'ble the Chief Court in the said case as also in 16 Mysore Chief Court Pp.35 in both of which the petitioner after arduous contest obtained a declaration of his right by the highest Court in the land have been repeatedly and systematically ignored by the executive authorities and reduced to a dead letter. The petitioner is thus rendered helpless and trusts that the benign Government of His Highness will not allow this anomalous state of things to continue any longer.

4. It is the obvious duty of the executive to safe-guard and protect from unlawful obstruction the petitioner in the exercise by him of his inherent and natural rights especially as they have been authoritatively declared, and recognised from time to time by the highest Court in the land competent to adjudicate thereon.

5. The petitioner begs to narrate the several incidents in the history of this matter, so as to bring together the same and enable this tribunal to obtain a bird's eye view of the situation.

6. The old Temple of Kalika and Komateswara in Thyamagondlu was rebuilt and extended in about the early part of 1914 at great expense and trouble by the Panchala Community of the place.

7. Arrangements were made to perform the consecration ceremony in regard to the existing idols and to the new idols of Ganesha and Anjaneya to be installed in the same temple.

8. With a view to celebrate the above ceremony in an appropriate manner, the Panchala Community desired to parade the said idols in procession in the public streets of Thyamagondlu with music and the usual paraphernalia.

9. The appellant hereof who is the Dharmakartha of the said temple and one of the leading men and the Shetty of the Panchala Community applied to the District Magistrate of Bangalore for a license permitting him to conduct a religious procession along the streets of Thyamagondlu - in connection with the said ceremony.

10. The District Magistrate directed the Amildar of Nelavangala to issue the necessary license for the purpose "if there was no takrar". The Amildar on adequate - inquiry issued a license to the appellant as prayed for.

11. The respondent hereof filed a counter-petition before the District Magistrate on 31-8-14 objecting to the issue of the license, and on this objection, the learned District Magistrate passed the order under appeal and - thereby revoked his former order and that passed by the - Amildar.

12. The only ground on which the order of the District Magistrate was based is that he was precluded, by reason of a previous order of his predecessor-in-office passed on 21-5-1904, from granting the application of the appellant.

13. The said order of 1904 purports to do no more than stating that in view of the state of feeling then existing

(2)

existing in the matter, among the classes of people concerned, it was not advisable to risk a danger to the public peace by granting a license asked for. In other words it was merely a Police Order intended to safe-guard the primary interests of the public peace and was never intended to create or give effect to any civil rights in favour of one community or take away the same from another if - possessed by them.

14. As obstructions to the exercise of this primary and inherent right of citizens became somewhat frequent - and were in some degree countenanced by the authorities - on the score of custom and mamool, the appellant hereof, with a view to have a final adjudication of his right by a competent Civil Court filed O.S.No.76 of 1907-08 on the file of the First Munsiff, sued against one Chennappa and four - others who obstructed a marriage procession conducted by the appellant along the Vaisya Street (a public street), of Thyamagondlu for a declaration of his right to go in - procession religious or festive along the said street attended by music and the usual paraphernalia without hindrance or restriction. The appellant obtained a decree - after contest and an appeal by the defendant in that case (No.211 of 08-09) the Hon'ble the Chief Court of Mysore dismissed the appeal and confirmed the judgment and decree of the Munsiff.

15. In an elaborate judgment (reported in 16 Mysore Chief Court pp.35) Their Honours have held in clear and - authoritative language that the right claimed by the appellant hereof was a natural right inherent in every person and unless it was taken away by any law or custom - having the force of law, mere non-user of it for any - length of time would not be sufficient to extinguish it. They have further held that the right was of such nature that it did not require any custom to support it. The same view has been confirmed and emphasised in the judgment in R.A. 140 of 1916-7

16. The above proposition was laid down as a proposition of law irrespective of the question of fact whether the appellant and his co-castemen had really been exercising the right or not.

17. That the appellant and his co-castemen were as a matter of fact in enjoyment of this right, that it was in accordance with local custom and did not - contravene the same in any manner or degree and that the custom alleged by the Shivachars that the Panchala Community were to be confined to particular streets - for conducting their processions -these were decided after an elaborate enquiry by the Senior Assistant Commissioner and First Class Magistrate, Bangalore Sub - Division in his order dated 28-7-1907 (~~a copy of the same is herewith filed~~).

18. Thus the learned District Magistrate in passing the order under appeal has virtually ignored, if not refused to give effect to, the final adjudication on the rights of the appellant passed by the highest tribunal - in the land, though the application of the appellant and his right to obtain the license were expressly based - thereon and the same was brought to the notice of the District Magistrate.

19. The appellant begs to submit that if a decree of a competent Civil Court is not given effect to by - the executive on the score of "mamool" in spite of which the decree is passed, such a decree in effect becomes a nullity and is rendered nugatory. No system of law can contemplate such a state of things which pushed to its - logical consequence will put in the power of the lowest executive officer to ignore or refuse to give effect to the most solemn decree of the highest Civil tribunal in the State.

14)

20. Nor is the order under appeal passed to meet particular emergencies or exigencies; but it is a deliberate pronouncement on the right of the appellant to the help of the executive to enjoy the fruit of a decree of the highest Civil Court obtained after long and arduous contest.

21. The order of the District Magistrate has also the effect of re-opening ~~the~~ settled questions and making it impossible for the litigation to effectually terminate as it enables interested persons to re-agitate in various other forms the same questions though finally settled.

22. Under these circumstances the course was clear for the learned District Magistrate to direct the Police to render the utmost possible help and assistance to the appellant in the free and safe enjoyment of the right authoritatively declared to be his and to safeguard the public peace from being violated by the enemies of peace.

23. The above principle is also recognised in the Mysore Police Regulation V of 1908, Section 41 (2)

24. The appellant also filed Original Suit No. 390 of 1913-1914 for the same purpose, and obtained a decree against which the above-said R.A.No.140 of 1916-1917 was filed and decided in the appellant's favour.

25. In an appeal to Government against the order of Mr. Chandy, the former District Magistrate dated 30th July 1907, the Government

was

was pleased to direct the appellant to apply to the District Magistrate, which the appellant accordingly did with the result already stated.

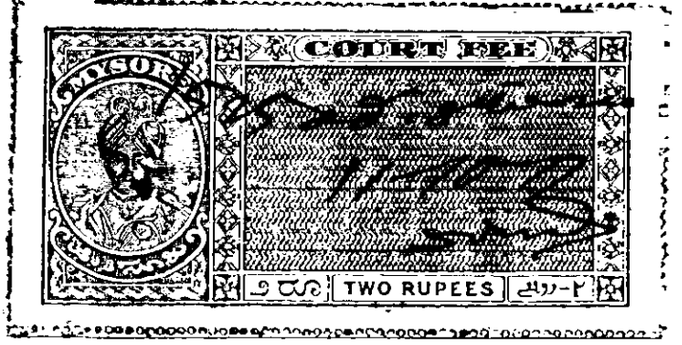
The appellant prays that the order of the District Magistrate in question may be reversed and the appellant may be granted a license as prayed for by him.

N.B.

This appeal is filed to the Government though there appears to be no express provision regarding appeal in such matter to be found in the Mysore Police Regulation. The appellant submits that in any event; the benign and liberal Government of H.H. the Maharaja can in the exercise of its general powers of superintendence over the acts of subordinate officers, interfere to remedy a palpable injustice and prays that justice may be done to him.

BANGALORE,
16-10-1917.

Venkatappa
adv. for petr.



Before the Govt. of H.H. the Maharajah of Mysore

In the Court of the

Licensee appeal CASE No. OF 1917—1918.

Appellant, ~~Plaintiff~~
Shivabhadra

Respondent, ~~Defendant~~.
Kote Ramappa

Vs

I the appellant above named do by these presents (1) retain Messrs. L. Sreenivasiengar, and V. Venkatachar, B. A., B. L., Advocates, to appear in and conduct the above case on my behalf to judgement.

2. I further empower them to execute any decree or order that may be passed in my behalf and to receive from Court such sums of money as I may be entitled to get and to grant receipts therefor.

3. I also undertake to confirm and ratify all the legal acts done by the said Advocates in so doing.

ಶಿವಭದ್ರಪ್ಪ
೨೨. ಕಳಿಲಿ
೧೧-೧೦-೧೭

Accepted

Vakeel appr

Advocates for appt

Signed before me and personally known to me.

Vakeel appr

Advocates.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, the 191

Date of issue 21.11.17

Signed by M. G. Srinivasa

for

Section

File No. 69-17

Serial No. 2

Index

No. 1508 Encl

To

The accompanying petition bearing date 9th October 1917 from one Hucchappa of Tyamagondu in the Nelamangala Taluk of the Bangalore District is forwarded to the D.C. Bangalore for a report with the records of the case

By Order

for Secy to Govt

R.G.
26.10.17

9/12/17

Office of the District Magistrate,

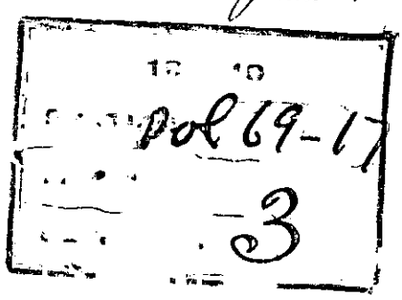
Bangalore District,

Dated, Bangalore, 3rd December 1917.

No.....

Enc: 3 Files with the petition of Hutchappa Presented before the Court.

DIARY No. J 1490



From

P. F. Bowring, Esquire,

District Magistrate,

Bangalore District.

To

C.S. Balasundaram Iyer, Esq., B.A.,

Chief Secretary to the Government of His Highness

the Maharaja of Mysore, B A N G A L O R E.

Sir,

With reference to your official Memo No. J.1508/Pol:69-17-2 dated 2nd November 1917, forwarding the petition of Hutchappa of Tyamagondlu in the Nelamangala Taluk, re the grant of a license to conduct the procession of Kalika and Kamateswara and requesting for a report with the records of the case, I have the honour to forward herewith 2 files of connected records on the subject i.e., License Application No. 4/15-16 is one file and Miscellaneous No. No. 35 of 16-17 is another. In the former one Kote Ramaiya on behalf of Desadapet of Tyamagondlu presented a petition on 31st August 1914 praying for the cancellation of the license granted by the Amildar Magistrate of Nelamangala on 29th August 1914 to one Hutchappa of the 9th Phanas to take in procession the idol of Kalika and Kamateswara through the streets of Tyamagondlu.

2. Thereupon, the records were called for ordering at the same time that the license issued by the Amildar Magistrate be kept in abeyance. The record thus received from the Taluk was styled as file No. III which is also herein enclosed.

3. On a careful preusal of all these records, it was found that so far as this court was concerned the matter had already been disposed of

WD 02765—GIB— 79,000—25-2-17—S.

1917

From The District magistrate
Bangalore District.

To The Chief Secretary to t
Government of His Highness
the Maharaja of Mysore

Dated 30

Despatched 4th December 17

Received

General No. R O C 395
No. 2. 17-18

Enclosure No. 3 Files & 1
Petition of Venkatappa presented
before the Government.

Submits records
with a report re- the
grant of a license for
the procession of Kalika
and Kamateswara at
Thyamagondlu in the
Nelamangala Taluk.

4-20 pm
Police
GEN. & REV. SECRETARIAT
III
JUDICIAL
6- DEC 1917

disposed of on 21st May 1904 by the order of Mr. D. Devaraja Urs, the then District Magistrate and that without any subsequent order from Government to the contrary it was considered inexpedient to revise the order already passed. (Vide flag A Page No. 46 of the file No. III).

4. The case came on for hearing before my predecessor Mr. K. Chandy on 30th July 1915 when an order was passed directing the Amildar Magistrate to conform strictly to the above order of 1904 and to the order of his predecessor, Amildar - Mr. Syed Yakoob dated 14th August 1911. (Vide flag B Page Nos. 52.53 of file No. III).

5. On 14th November 1916 Panchala Hutchappa of Tyamagondlu presented a petition to this Court, under Section 45 of the - Mysore Police Regulation. (Vide record in Miscellaneous No.35 of 16-17, file No. II on the file of this Court) praying that he may be granted a license to conduct the procession of the idols of Kalika and Kamateswara, on 25th December 1916, between 2 and 6 P.M., in the Street at Tyamagondlu. Messrs. L. Srinivasa Iyengar and V. Venkatachar appeared for the petitioner (Hutchappa) and Mr. D. Venkataramiah appeared for the opponent (Kote Ramaiya). After undergoing several adjournments, on 12th May 1917 the record was forwarded to the District Superintendent of Police for a report. The facts of the case have been briefly stated in District Superintendent of Police's Memo No.99/Mis. dated 13/14th July 1917.(Vide flag 6 in file No.II)

6. The case came on for final hearing on 30th July 1917 when an order was passed rejecting the petition and directing the -- Local Police to regulate the procession according to mamool. (Vide Flag D).

I have the honour to be,

Sir,

Your most obedient servant,

District Magistrate,
Bangalore District.

D.V.R.

G.R.S. VI-71J

2 drafts

GEN. & REV. SECRETARIAT.
TYPING SEC.
25 JAN 1918

SUBJECT..... Tyagarajan petition case

Diary No. of letter replied to.....

Section Police
File No. 69-17
Serial No. 4

General and Revenue Secretariat

( )

, the 191

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..... 8/2/18 Sl. no. 1

Signed by M. G. Srinivasa

Read.—

Petition dated the 16th October 1917 from Krishnappa of Tyagarajanahalli in the Nelamangala Tk. appealing against the order of the Dy. Comrs., Bangalore Dt., dt. 30-7-17 declining to permit the petitioner and his community to carry the procession of Kalika & Kamalesvara in the Devadapte.

Order Thereon:—~~No.~~

1. Letter no. R.O.C. 395-7/17-18 dated the 3-20 December 1917 from the Dy. Comrs., Bangalore Dt.

over.

May this be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

~~translated?~~

v placed at the disposal of the Press? Paper under disposal

vi published in the Gazette Kannada part?

submitting a report in the matter
as also the records connected with the
case.

Order No. J. 3110 (Records)

The petitioner, a leading
member of the Panchala community
of Tyuvakonahalli in the Nelamangala
Tk. applied on 29.8.14 to the Dt. Magte 71 X
Bangalore, for a license to take the
deities Kalikamba & Kumaleswara in
procession through the streets of the
town in connection with their consecration ceremony.
The Dt. Magte asked the Amildar of
Nelamangala to issue the necessary
license if there were no <u>takrars</u>. The 71 X
Amildar, after an enquiry, issued 71 G.
on 29.8.14 a license to the petitioner.
On 31.8.14 one Kotte Ramaiah filed 71 S
a counter petition before the Dt. Magte,
objecting to the issue of the licence.
Thereupon that officer directed the abeyance of
the order granting the license & on 30.7.15
passed an order enjoining strict 71 V

List of enclosures.

Copied by

Examined by

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

76A

conformity to the order dated 21-5-4 of his predecessor in office on the ground that the matter had by that order been closed so far as the Dt. Magte. was concerned and therefore he was precluded from reopening the case. In September 1915 Hucharppa appealed to Govt. against the order Dt. Magte's order of 30-7-15. As the civil courts had in the meanwhile recognised the right of the petitioners community to carry their processions in the public streets of Jyanagondlu the Dt. Magte. was informed that the case might be reopened if necessary, in view of the fact that a declaratory order in the matter and the petitioner was directed to apply to that officer.

F. M. + Police 78 of 1915

76 C

when the matter again came up before the Dt. Magte. he declined to grant permission to the petitioners community to take their processions through Hesadapete on the ground that they did not appear to have been given such permission. The petitioners had now come up to Govt for redress

The orders passed by

magis in such cases in exercise
of the powers conferred on them by
section 45 of the Impn. Police Regulation
in the opinion of
are, & should think, to be considered
& to be applicable only to the partic-
-ular occasions with respect to
which they were passed and not
to be construed to have a permanent binding
~~effect~~ force. Absolute refusal of
a license - ignoring the rights
decreed by civil courts - without
just reason for apprehending the
breach of the peace would be unjus-
-tified. The decrees of civil
courts should, as far as possible,
be respected and enforced by taking
the necessary precautions and imposing
necessary conditions for preserving
the peace, recourse being had to
suspension of established rights only
on occasions on it is apprehended
~~occasions~~ which, breach of the
peace could not be prevented ~~otherwise~~
Mewis

The Dt. Magis. is -
requested to dispose of future

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

applications in this matter in the light of the above ~~remarks~~ in mind.

for Ch. Secy. to Govt.

TO

The Dist. Magte. Bangalore Dist.

By. reminding the Secretary.

21-1-18

GPB—20,000—7-7-14

2 Draft

Pub no. 69-17
Sl. no. 5

(Sri V Venkatachar Esqr B.L. Advocate,
Bangalore.)

Endorsement granted to Muchappa of Tyamagondu
in reply to his petition dated the 16th October
1917 complaining against the order dated the
30th July 1917 of the Dt. Magte. Bangalore Dt.
declining to grant a license to carry on the
profession of Kalitka & Kamsalavara through
the Devadasis

J 3112 Endn 07 8/2/18

Sd M.V. G. Srinivasa Rao

The Govt cannot interfere in such cases. The petitioner is informed that his petition is rejected. The Govt has been requested to direct the Dt. Magte to withdraw the order prohibiting the petitioner from carrying on the profession in future pending the decision of the Chief Court on the matter.

The enclosures received with the petition are returned herewith

By Order

Sd/- Chief Secy to Govt.

Vide Govt Order No. 1112 dated 7th February 1918

The petitioner has been informed accordingly

Sd/- Chief Secy to Govt.

B.G.
22.1.18